

KEVIN NATHANIEL FOX  
U.S. MAGISTRATE JUDGE

SHELDON T. LEVY (1927-1999)

MALCOLM H. DAVIS

DAMON R. MAHER

JONATHAN A. BERNSTEIN

HARMON L. FIELDS

## LEVY DAVIS & MAHER, LLP

ATTORNEYS AT LAW

29 Broadway, Ninth Floor  
New York, New York 10006

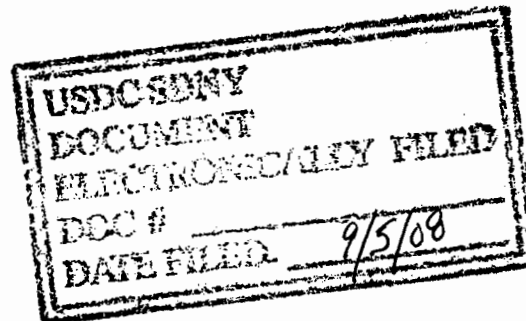
# MEMO ENDORSED

TELEPHONE: (212) 371-0033  
FACSIMILE: (212) 371-0463  
www.levyDavis.com  
E-MAIL: thefirmlevyDavis.com

August 28, 2008

### By Fax Only

The Honorable Kevin Nathaniel Fox  
United States Magistrate Judge  
United States Court House  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



Re: Ayres v. Company C  
Communications, LLC,  
08 Civ. 04780 (BSJ) (KNF)

Dear Magistrate Judge Fox:

We represent the plaintiff in this action for breach of contract. We were retained on August 26, 2008. A consent to substitute counsel form and our notice of appearance were filed ECF on that date.

A settlement conference before Your Honor is currently set for September 9, 2008, at 2:30 p.m. I write with consent of defense counsel to request a brief adjournment of the conference. Counsel jointly proposes the following dates: September 24 or September 25.

Respectfully submitted,

Jonathan A. Bernstein

9/5/08  
The settlement conference  
previously scheduled for September 9,  
2008, will be held on October 13, 2008,  
at 2:30 p.m.

SO ORDERED;

Kevin Nathaniel Fox, U.S.M.J.

JAB:hlf

cc: Guy Robert Cohen, Esq. (Attorney for Defendant)